

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2012 SEP 18 PM 2:46

DEPUTY CLERK *AC*

SITTHIPHONE PHENGSENGKHAM

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v.

2:10-CV-277

UNITED STATES OF AMERICA

**ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION, and
DENYING MOTION TO VACATE, SET ASIDE OR CORRECT SENTENCE**

Came for consideration the motion to vacate, set aside or correct sentence by a person in federal custody filed by defendant. On August 31, 2012, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the instant motion be denied. Defendant filed objections to the Report and Recommendation on September 14, 2012.

Having made an independent examination of the record in this case and having examined the Report and Recommendation of the Magistrate Judge, the undersigned United States District Judge hereby OVERRULES defendant's objections and ADOPTS the Report and Recommendation. Accordingly, the Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence filed by defendant is, in all things, DENIED.

IT IS SO ORDERED.

ENTERED this 18th day of September 2012.

Mary Lou Robinson
MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE